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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 SANDRA L. FERGUSON,

10 Plaintiff,

11 v.
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13 BRIAN J. WAID AND THE WAID
14 MARITAL COMMUNITY,

15 Defendants.

Case No. C17-1685RSM

MINUTE ORDER STRIKING
PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT

16 The following MINUTE ORDER is made by direction of the Court, the Honorable
17 Ricardo S. Martinez, Chief United States District Judge:

18 On March 20, 2018, Plaintiff Sandra Ferguson filed a Motion for Partial Summary
19 Judgment in this case. Dkt. #42. Ms. Ferguson attached a declaration, Dkt. #42-1, and 28
20 exhibits to this filing, Dkts. #42-2 through #42-29. These exhibits were titled Exhibits A
21 through Z, except Exhibit A was broken into three parts, and totaled 1,911 pages. That same
22 day, Ms. Ferguson filed further exhibits totalling 639 pages. Dkts. #43 and #43-1 through #43-
23 16. These were titled Exhibits 1 through 8 and Appendix 1 through 11, although Appendix 1
24 through 3 were filed in one document. Two days later, on March 22, 2018, Ms. Ferguson filed
25 a "Second Declaration of Sandra L. Ferguson" that relists Exhibits A through Z and 1 through 8
26 and appears to withdraw Exhibit 8 and Exhibit Z and replace Exhibit Y with a corrected
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28

MINUTE ORDER STRIKING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY
JUDGMENT - 1

1 version. Dkt. #48. An hour later that same day, Ms. Ferguson filed a “Third Declaration of
2 Sandra L. Ferguson,” that states “[a]ttached hereto are true copies of the following documents
3 which comprise the Appendix Parts 1 through 11...” however there are no attached documents.
4 Dkt. #49. The following day, March 23, 2018, Ms. Ferguson filed an 85-page “Fourth
5 Declaration of Sandra L. Ferguson” that appears to withdraw Dkts. #48 and #48-1 and replace
6 exhibits U through Y. Dkt #50. Just minutes later, Ms. Ferguson filed another “Fourth
7 Declaration of Sandra L. Ferguson” that begins:

9 I filed Docket 50 (main document) with attachments 51-1, 51-2,
10 51-3, 51-4, and 51-5 attached thereto. There was a problem with
11 Docket 50, only. Therefore, this document is submitted as a
12 replacement for Dkt. 50. I hereby withdraw the previously-filed
13 docket #50, but I do not withdraw the attachments 1-5 to docket
14 50, which belong with this replacement documents declaration.

15 Dkt. #51.

16 The above filings have created significant confusion for the Court and likely any person
17 attempting to decipher what is and is not an exhibit in support of Ms. Ferguson’s Motion. The
18 Court also notes several procedural errors with these filings. Ms. Ferguson has not followed
19 the Court’s praecipe procedure for filing corrections or additions to the record, *see* LCR 7(m).
20 Ms. Ferguson has submitted several of the above declarations without signing them under
21 penalty of perjury as required by this Court. *See* Dkts. #48, #49, and #51. Perhaps most
22 critically, Ms. Ferguson’s underlying Motion for Partial Summary Judgment is not signed by
23 Ms. Ferguson as required by Federal Rule of Civil Procedure 11(a). *See* Dkt. #42 at 25.

24 After the drafting of this Minute Order but before it was posted, Ms. Ferguson filed yet
25 another correction, styled as a praecipe, asking the Clerk of the Court to replace Dkt. #42-1
26 with an attached amended declaration. Dkt. #52. This filing makes no mention of the above
27 additional filings, and fails to explain why Ms. Ferguson is correcting her filings daily.
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1 Given all of the above, the Court hereby STRIKES all of the above filings (Dkts. #42,
2 #43, #48, #49, #50, #51, and #52). Defendant need not respond to Ms. Ferguson's Motion for
3 Partial Summary Judgment by the previous noting date. If Ms. Ferguson chooses to proceed
4 with this Motion, she must refile according to the following procedures:

- 5 1) Ms. Ferguson's Motion for Partial Summary Judgment must be signed and noted for
6 consideration based on the new filing date;
- 7 2) Ms. Ferguson must file a new declaration attaching the corrected versions of all of her
8 supporting exhibits A through Z, a separate declaration attaching the corrected versions
9 of her numbered exhibits, and a separate declaration attaching the corrected version of
10 her appendix exhibits;
- 11 3) Every declaration must be made under penalty of perjury;
- 12 4) Ms. Ferguson is not permitted to file any further praecipes related to this Motion
13 without leave of the Court, *see* LCR 7(m) ([p]arties are expected to file accurate,
14 complete documents, and the failure to do so may result in the court's refusal to
15 consider later filed corrections or additions to the record);
- 16 5) Ms. Ferguson need not refile the declaration of Kany M. Levine, Dkt. #44;
- 17 6) Ms. Ferguson must provide a courtesy copy to the Court of all new filings a day after
18 filing as required by LCR 10(e)(9).

19 Failure to follow the above rules will result in the Court striking this Motion again.

20 DATED this 26th day of March, 2018.

21 WILLIAM McCOOL, Clerk

22 By: /s/ Paula McNabb
23 Deputy Clerk